

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	
	:	
- v. -	:	<u>APPLICATION</u>
	:	
IVAN BREA,	:	19 Cr. 821 (KMW)
	:	
Defendant.	:	
	:	
- - - - -	x	

CELIA V. COHEN hereby affirms, under penalty of perjury and pursuant to Title 28, United States Code, Section 1746, as follows:

1. I am an Assistant United States Attorney in the office of Audrey Strauss, Acting United States Attorney for the Southern District of New York, and I am familiar with this matter.

2. The parties have reached an agreement to resolve the above captioned case. Mr. Brea, defense counsel, and the Government wish to proceed with the change of plea hearing by video or telephone conference instead of an in-person proceeding in light of the ongoing pandemic.

3. During this pandemic, video and telephone conferencing have been employed by judges in the Southern District of New York on numerous occasions. The parties submit that any further delay in this proceeding would result in serious harm to the interests of justice. Proceeding by video or telephone conference with a change of plea advances Mr. Brea's case, allows

the Government and defense to achieve finality in the case short of a jury trial, and furthers justice without undue delay. See § 15002 (b) (2) of the Coronavirus Air, Relief, and Economic Security ("CARES") Act.

Dated: New York, New York
December 17, 2020



Celia V. Cohen
Assistant United States Attorney
Southern District of New York
(212) 637-2466

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - -x

UNITED STATES OF AMERICA

- v. -

IVAN BREA,

Defendant.

- - - - -x

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ORDER

19 Cr. 821 (KMW)

Defendant Ivan Brea seeks to proceed with a change of plea proceeding via video or telephone conference instead of a personal appearance in court. In view of the ongoing pandemic, video and telephone conferencing have been employed by judges in the Southern District of New York on numerous occasions. This Court finds that any further delay in this proceeding would result in serious harm to the interests of justice. Proceeding by video or telephone conference with a change of plea advances Mr. Brea's case and furthers justice without undue delay. See § 15002 (b) (2) of the Coronavirus Air, Relief, and Economic Security ("CARES") Act.

During the change of plea proceeding, the magistrate judge should allocute the defendant on his consent to proceed via video or telephone conference as previously stated by his counsel.

SO ORDERED:

Dated: New York, New York
December 17, 2020

Kimba M. Wood

THE HONORABLE KIMBA M. WOOD
United States District Judge
Southern District of New York